

Amendments to the Drawings

The attached sheets of drawings include changes to Figs. 3, 4 and 9(a), and replace original sheets 2, 3 and 11. In Fig. 3 element number 309 has been added, in Fig. 4 element number 311 has been added, and in Fig. 9a element number 19 has been corrected to read 919 and element number 923 has been added.

Attachments: Replacement sheets 2, 3 and 11

REMARKS

Claims 1-54 are pending in the application. Claims 15, 37-48, 51 and 52 have been withdrawn by the Examiner from consideration and claims 1-14, 16-36, 49, 50, 53 and 54 stand rejected. Applicants hereby affirm the provisional election made by Applicants' representative Daniel Roberts on September 5, 2007.

Objections to the drawings

The drawings are objected to as failing to comply with 37 CFR 1.83(a) for failing to show various elements referred to in the specification. Applicants hereby submit replacement figures and specification amendments to overcome these objections and respectfully request withdrawal of these objections.

Objections to the specification

The specification is objected to for various informalities. These informalities have been addressed via amendment herein and Applicants respectfully request withdrawal of these objections as well.

Objections to the claims

Claims 10, 12 and 36 are objected to for various informalities. These informalities have been addressed via amendment herein and Applicants also respectfully request withdrawal of these objections.

Rejection under 35 U.S.C §101

Claims 26-31 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter because the claimed language allegedly lacks patentable utility. Claim 26 has been

amended in accordance with the Examiner's kind suggestion and Applicants submit that this rejection is now moot.

Rejection under 35 U.S.C §112

Claims 26-31 stand rejected under 35 U.S.C. 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner finds that the claimed "printing application" is indefinite. This term has been canceled from the claims and Applicants submit that this rejection is now also moot.

Rejection under 35 U.S.C §102

Claims 1-8, 10, 11, 13, 14, 16-18, 20-36, 49, 50, 53 and 54 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,987,573 to Silverbrook et al. Applicants have reviewed the reference with care, paying particular attention to the passages cited, and are compelled to respectfully disagree with the Examiner's characterization of this reference.

With respect to claim 1, the Examiner asserts that Silverbrook '573 discloses an interface surface printer comprising:

providing to a printer a set of print instructions which define the content of a document (Le. in the system of Silverbrook '573, a netpage printer is able to receive a page description, or print instructions, describing the content of a document. The content in Silverbrook '573 refers to the physical graphics and images that can be seen on the sheet when printed. This printed page is referred to as a netpage; see col. 1, lines 55-67, col. 2, lines 1-30, col. 5, lines 1-67 and col. 6, lines 1-35, col. 7, lines 1-67 and col. 8, lines 1-35);

generating at the printer a pattern using pattern information that is independent from the print instructions (i.e. the netpage printer is used to print, or generate, a pattern using coded data information and is

associated with the print instructions for the visible document information. Accompanied with the coded data is a page ID which represents the location of the document the tag with the page ID is located. Since the print instructions are separate from the coded data encoded in a tag, the page description and the encoded data are both independent from one another; see fig. 4; see col. 1, lines 55-67, col. 2, lines 1-30, col. 5, lines 1-67 and col. 6, lines 1-35, col. 7, lines 1-67 and col. 8, lines 1-35); and

printing a document that comprises both the content and the pattern (i.e. when the netpage is printed on the system, the document has a visible layout consisting of text, graphics or images and invisible coded data, considered as the pattern, in the netpage; see figs. 1-4; see col. 1, lines 55-67, col. 2, lines 1-30, col. 5, lines 1-67 and col. 6, lines 1-35, col. 7, lines 1-67 and col. 8, lines 1-35).

Applicants respectfully disagree with every single assertion made by the Examiner. At the outset, Applicants do not agree with the Examiner's unsupported contention that the netpage printer of Silverbrook "is able to receive a page description, or print instructions." There is nothing in Silverbrook that supports this assumption - the netpage printer could very well receive bitmaps or other pixel data without any instructions per se, as anyone familiar with computer printers would immediately recognize, and there is simply no reason on the face of the reference or in the general knowledge in the art to make this assumption. As a matter of fact, Silverbrook makes clear at col. 5 l. 25, that a page description "describes the individual elements of the netpage" and at col. 14, ll. 18-24, that the printer *rasterizes* the page descriptions and *expands and prints* the page images - how would the Examiner thus explain his contention that, in effect, the printer rasterizes print instructions? Or does it expand and print these print instructions?

Applicants further take issue with the Examiner's statement that "The content in Silverbrook '573 refers to the physical graphics and images that can be seen on the sheet when printed." What exactly are "*physical* graphics" and how are they different from "images"? Where does Silverbrook explicitly state that the content sent to the netpage printer includes such "physical graphics and images"? Where does Silverbrook explicitly state that the content sent to

the netpage printer does not include anything else? The Examiner is respectfully invited to provide citations to the exact column and line numbers where each of his allegations is explicitly supported by the unambiguous disclosure of Silverbrook, in accordance with 37 C.F.R.

1.104(c)2, or else to withdraw all rejections based upon these bald allegations.

Applicants also completely disagree and fully traverse the Examiner's allegation that "the netpage printer is used to print, or generate, a pattern using coded data information and is associated with the print instructions for the visible document information." Again, there is no disclosure in Silverbrook of "print instructions" and alleging that anything is associated with them is pure fancy. Furthermore, the only allusion to a "pattern" in Silverbrook is in the context of printing invisible tags in a specific pattern upon the page. There is nothing to support in the slightest the contention that this pattern has anything to do with any "coded data information," which is another undefined term brandished by the Examiner but not to be found anywhere in the actual Silverbrook reference. Applicants thus ask - what is this "coded data information" of Silverbrook? Is it data or is it information, or is it information about data? Which data? What kind of information? Why is it coded? How is it coded? How does the netpage printer "use" this information in generating the alleged pattern? Where does Silverbrook explicitly answer any one of these questions?

Applicants garner a hint from the third paragraph wherein the Examiner's statement that "invisible coded data, considered as the pattern" leads them to guess that the "invisible coded data" refers to the tags of Silverbrook, which thereby can only mean that the alleged "pattern" is comprised of these tags. This is further supported by Silverbrook at col. 5, ll. 22-23, which makes reference to "coded data 3 printed as a collection of tags 4 using invisible ink." However, this in fact only proves Applicants' point that Silverbrook does not anticipate claim 1, because unlike in claim 1 where the generated pattern information "is independent from the print instructions," the tags comprising the pattern in Silverbrook are very much associated with the pages on which they reside, and thus any print instructions (assuming such instructions actually are generated in Silverbrook) describing the content of such pages:

Each reference to the page description is encoded in a printed tag. The tag identifies the unique page on which it appears, and thereby indirectly

identifies the page description. The tag also identifies its own position on the page. [Silverbrook, col. 7, ll. 43-46]

To argue that tags that identify the unique page on which they appear and their position on the page are independent from print instructions which define the content of a document, i.e., independent from the page on which they reside, would fly against all reason.

The Examiner does in fact try to sidestep this argument by making the convenient pronouncement that “Since the print instructions are *separate* from the coded data encoded in a tag, the page description and the encoded data are both *independent* from one another.” There is no logic whatsoever bridging this conclusion to the Examiner’s shaky initial premise. The dubious and unexplained assertion that the alleged print instructions are *separate* from the coded data encoded in a tag (which is in itself a microcosm of misstatement as the coded data is not “encoded in” a tag, it is the tag) - which Applicants can only understand to mean that they are not bundled together in the same file - provides no grounds whatsoever for assuming that said print instructions are *independent* (that is, free of influence from or not contingent on, as generally understood within the English-speaking world) from said coded data or tag.

Should the Examiner require further convincing, his attention is respectfully directed to col. 13, ll. 7-9:

a tag map 811 (i.e. “pattern”) is associated with each page instance to allow tags on the page to be translated into locations on the page.

The pattern is associated with the respective page to which the tags that comprise is belong - Silverbrook could not be any clearer and specific.

In light of the above, it becomes evident that Silverbrook - contrary to the Examiner’s last assertion - also does not disclose the claimed printing of a document that comprises both the content and the pattern, because the claimed pattern is independent from the print instructions and the pattern of Silverbrook is unequivocally not.

In light of the foregoing, Applicants respectfully submit that claim 1 is in fact patentable over Silverbrook and request the Examiner to kindly reconsider and pass this claim to issue.

Should the Examiner disagree, Applicants once again respectfully request him to clearly and specifically point out where Silverbrook discloses the claimed features in accordance with 37 C.F.R. 1.104(c)2 and mindful of the above discussion of this reference.

Claims 2-8, 10, 11 and 13 depend from claim 1 and Applicants thus submit that these claims are also allowable at least by virtue of their dependency. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

With respect to claim 14, the Examiner largely relies on the same interpretation of Silverbrook discussed above to support his assertion that Silverbrook discloses the claimed "a printer having an interpreting means arranged to create the pattern to be printed in response to receipt of a set of print instructions, the print instructions defining the content of the document using pattern information that is separate from the print instructions." Applicants respectfully submit that the above discussion is thus equally probative of the novelty of claim 14 over the reference, and respectfully request the Examiner to reconsider and pass this claim to issue as well.

Claims 16-18 and 20-21 depend from claim 14 and Applicants thus submit that these claims are also allowable at least by virtue of their dependency. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

With respect to claim 22, the Examiner reiterates some of his earlier interpretation of Silverbrook, and further asserts that the claimed "means for creating the required pattern in response to at least one pattern instruction contained in the print file using pattern information that is obtained independently from the print file" are disclosed in the reference because "the page description consists of the page description and the page instances that represent the coded data. These are both transmitted to the respective printer, but are independent of each other since the layout of the visible information can be the same, but the arrangement of the coded data can be different from a previous document representation of the same document." With all due respect, this assertion is pure wishful thinking, as there is nothing in the plain language of this entire reference that supports the Examiner's contention. First off, what exactly is a "previous

document representation of the same document”? Is the Examiner referring to an earlier printout of a netpage? Furthermore, the Examiner’s assertion is self-contradictory on its face - “*the page description consists of the page description and the page instances...*” translates to “the page description consists of *itself* and the page instances...” This is circuitous and incorrect. As explained above with respect to claim 1, a page description “describes the individual elements of the netpage” [col. 5 l. 25] and “In particular it describes the type and spatial extent (zone) of each interactive element (i.e. text field or button in the example), to allow the netpage system to correctly interpret input via the netpage.” [col. 5 ll. 25-29] Where in this does the Examiner discern anything about a “page instance”? Regardless, “The netpage page server maintains a unique page instance for each printed netpage, allowing it to maintain a distinct set of user-supplied values for input fields in the page description for each printed netpage.” [col.7 ll. 64-67] Thus, the page instances invoked by the Examiner are clearly comprised of *user-supplied values for input fields* and have nothing to do with any pattern of tags printed on the page hardcopy output of the page.

Regardless - and ignoring the self-contradictory, circuitous logic for a moment - the very essence of the Examiner’s assertion is fundamentally wrong. The Examiner’s contention that “the layout of the visible information can be the same, but the arrangement of the coded data can be different” is clearly incorrect in light not only of the plain language of Silverbrook, but the very purpose of the system disclosed therein. In Silverbrook, the tags are provided to identify the specific region on the netpage that a user selects with a light pen and thereby the specific data content printed in that region - so clearly if “the layout of the visible information can be the same” then the “arrangement of the coded data” must also be the same, otherwise the entire scheme of Silverbrook would be rendered nonfunctional.

Applicants finally note that the Examiner has not cited to any particular portion or element of Silverbrook, nor discussed in the slightest, where Silverbrook is alleged to disclose the claimed pattern instruction. Applicants thus respectfully submit that claim 22 is also novel over the reference, and respectfully request the Examiner to kindly reconsider and pass this claim to issue as well.

Claims 23-25 depend from claim 22 and Applicants thus submit that these claims are also allowable at least by virtue of their dependency. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

With respect to claim 26, Applicants traverse at the outset the Examiner's first assertion that "in the system, the printer receives a file from the netpage server that defines the document to be printed in a page description and the page description creates, or produces, a set of printing instructions for the printer to print the corresponding netpage for the page description." How can the page description possibly create, or produce, a set of printing instructions for the printer, when as discussed above the page description "describes the individual elements of the netpage" and "In particular it describes the type and spatial extent (zone) of each interactive element (i.e. text field or button in the example), to allow the netpage system to correctly interpret input via the netpage"? A page description is nothing but an aggregate of data - i.e., a file - and is most certainly not an application that produces or creates printing instructions.

Furthermore, the Examiner's own reasoning once again proves Applicants' point, as he contends that Silverbrook discloses the claimed "at least one pattern instruction which when interpreted by a printer causes the printer to provide a position indication marking pattern on the printed document" because "the server also has an application to produce instructions that characterize the page and document instances that are represented by coded data included in the printed document through tags. Once the printer receives the instances of the netpage document, the printer prints out coded data elements, represented by tags, based on instructions received." This is entirely correct, and Applicants could not agree more: it is the server of Silverbrook that produces the coded data/tags and supplies them to the printer, which merely prints them. Claim 26, on the other hand, very clearly recites that it is the printer that *generates* the pattern in response to a pattern instruction. The server of Silverbrook does not instruct the netpage printer to generate the pattern of tags, but rather provides the actual pattern of tags to the printer to print.

In light of the above, Applicants respectfully submit that claim 26 is novel over the reference, and respectfully request the Examiner to kindly reconsider and pass this claim to issue.

Claims 27-31 depend from claim 26 and Applicants thus submit that these claims are also allowable at least by virtue of their dependency. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

With respect to claim 32, Applicants refer to the preceding arguments to the extent they are relevant, and further specifically traverse the Examiner's contention that "in order to distinguish different users who may choose to have the same visible layout, the system gives these layouts different coded data, or tags. The different coded data, or tags, are arranged differently for each netpage. The system is able to allow printing of a plurality of copies of a document with different sets of coded data, or tags, embedded within them." As explained previously, pages that contain the same visible layout must by necessity have the same pattern of tags - whether the tags themselves contain different data is irrelevant to the pattern recited in claim 32. The allegation that "The different coded data, or tags, are arranged differently for each netpage" is equally irrelevant - because, again, as long as the visible data is the same, and arranged the same, then the pattern of invisible tags is also the same. Finally, the assertion that "The system *is able* to allow printing of a plurality of copies of a document with different sets of coded data, or tags, embedded within them" is irrelevant to the claimed printing a plurality of copies of the same document in which each has a different pattern (not different tags). Applicants thus respectfully request the Examiner to kindly reconsider, withdraw this rejection, and pass this claim to issue.

With respect to claim 33, Applicants submit that the arguments advanced above with respect to claim 26 (specifically the printer generating the pattern) and claim 32 (specifically printing multiple copies with different patterns) are fully probative of the novelty of claim 33, and respectfully request the Examiner to kindly reconsider, withdraw this rejection, and pass this claim to issue as well.

Claims 34-36 depend from claim 33 and Applicants thus submit that these claims are also allowable at least by virtue of their dependency. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

With respect to claims 49, 50, 53 and 54, Applicants submit that the arguments advanced above with respect to the above claims and particularly claim 26 are fully probative of the novelty of these claims, and respectfully request the Examiner to kindly reconsider, withdraw this rejection, and pass these claims to issue as well.

Rejection under 35 U.S.C §103

Claim 9 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook in view of U.S. Pat. No. 6,586,688 to Wiebe. Claims 12 and 19 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Silverbrook in view of U.S. Pub. No. 2004/95596 to Rijavec.

Claims 9 and 12 depend from claim 1 and claim 19 depends from claim 14. "If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious." *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, in light of the above discussion of claims 1 and 14, Applicants submit that claims 9, 12 and 19 are also allowable. Applicants further traverse the Examiner's rejection of these claims in view of the art but do not individually discuss these claims in view of their dependency on an allowable claim.

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Regarding the prior art made of record by the Examiner but not relied upon, Applicants believe that this art does not render the pending claims unpatentable.

In view of the above, Applicants submit that the application is now in condition for allowance and respectfully urge the Examiner to pass this case to issue.

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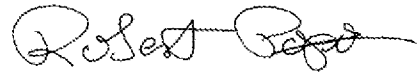
The Commissioner is authorized to charge any additional fees which may be required or credit overpayment to deposit account no. 08-2025. In particular, if this response is not timely filed, the Commissioner is authorized to treat this response as including a petition to extend the time period pursuant to 37 CFR 1.136(a) requesting an extension of time of the number of months necessary to make this response timely filed and the petition fee due in connection therewith may be charged to deposit account no. 08-2025.

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Respectfully submitted,



Robert Popa
Attorney for Applicants
Reg. No. 43,010
LADAS & PARRY
5670 Wilshire Boulevard, Suite 2100
Los Angeles, California 90036
(323) 934-2300 voice
(323) 934-0202 facsimile
rpopa@la.ladas.com

Attachments: 3 sheets of drawings